IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16441 of 2014
===

Sadhu Thakur Son of Late Ram Swaroop Thakur, resident of Village Motnaji, P.S- Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

===

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMARJHA
ORAL ORDER

2   29-05-2014   Heard both sides.

The petitioner is an accused in Chiraiya P.S. case No.145 of 2013 registered for the offence under Sections 365, 366A and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that there is no allegation against the petitioner that he kidnapped Manita Kumari, daughter of the informant. Informant Ram Ayodhya Rai alleged that Meena Devi, wife of Santosh Thakur, took his daughter to her house and thereafter his daughter became traceless. Petitioner is father of Santosh Thakur. The victim appeared and made her statement under Section 164 of the Cr.P.C. She disclosed that nobody kidnapped her. Other two accused persons, namely, Meena Devi and Sanjay Thakur have already been enlarged on anticipatory bail. Petitioner is in custody since 11.11.2013. Petitioner has remained in jail for more than six months. Hence

Patna High Court Cr.Misc. No.16441 of 2014 (2) dt.29-05-2014

2/2

the petitioner be enlarged on bail.

Learned Additional P.P. for the State opposed the prayer for bail.

Perused the record.

The victim denied the allegation of her kidnapping by any person, much less there is no allegation of kidnapping against the petitioner. Victim is a major girl.

Considering the facts and circumstances of the case and the fact that the petitioner has remained in jail for more than six months, I find that the petitioner deserves bail. Accordingly the prayer for bail is allowed.

The petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs. 5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Chiraiya P.S. case No.145 of 2013.

(Prabhat KumarJha, J)

Narendra/-